

“(d) FUNDING.—

“(1) IN GENERAL.—Of the amounts made available by section 5101(a)(1) of this Act [119 Stat. 1779], \$625,000 shall be available for each of fiscal years 2006 through 2009 to carry out this section.

“(2) FEDERAL SHARE.—The Federal share of the cost of activities carried out in accordance with this subsection shall be 100 percent.”

#### TRANSPORTATION SCHOLARSHIP OPPORTUNITIES PROGRAM

Pub. L. 109-59, title V, § 5505, Aug. 10, 2005, 119 Stat. 1822, provided that:

“(a) IN GENERAL.—

“(1) ESTABLISHMENT OF PROGRAM.—The Secretary [of Transportation] may establish and implement a scholarship program for the purpose of attracting qualified students for transportation-related critical jobs.

“(2) PARTNERSHIP.—The Secretary may establish the program in partnership with appropriate non-governmental institutions.

“(b) PARTICIPATION.—An operating administration of the Department and the Office of Inspector General may participate in the scholarship program.

“(c) FUNDING.—Notwithstanding any other provision of law, the Secretary [of Transportation] may use funds available to an operating administration or from the Office of Inspector General of the Department for the purpose of carrying out this section.”

### § 505. State planning and research

(a) GENERAL RULE.—Two percent of the sums apportioned to a State for fiscal year 1998 and each fiscal year thereafter under paragraphs (1) through (4) of section 104(b) shall be available for expenditure by the State, in consultation with the Secretary, only for the following purposes:

(1) Engineering and economic surveys and investigations.

(2) The planning of future highway programs and local public transportation systems and the planning of the financing of such programs and systems, including metropolitan and statewide planning under sections 134 and 135.

(3) Development and implementation of management systems, plans, and processes under sections 119, 148, 149, and 167.

(4) Studies of the economy, safety, and convenience of surface transportation systems and the desirable regulation and equitable taxation of such systems.

(5) Research, development, and technology transfer activities necessary in connection with the planning, design, construction, management, and maintenance of highway, public transportation, and intermodal transportation systems.

(6) Study, research, and training on the engineering standards and construction materials for transportation systems described in paragraph (5), including the evaluation and accreditation of inspection and testing and the regulation and taxation of their use.

(7) The conduct of activities relating to the planning of real-time monitoring elements.

(b) MINIMUM EXPENDITURES ON RESEARCH, DEVELOPMENT, AND TECHNOLOGY TRANSFER ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), not less than 25 percent of the funds subject to subsection (a) that are apportioned to a State

for a fiscal year shall be expended by the State for research, development, and technology transfer activities described in subsection (a), relating to highway, public transportation, and intermodal transportation systems.

(2) WAIVERS.—The Secretary may waive the application of paragraph (1) with respect to a State for a fiscal year if the State certifies to the Secretary for the fiscal year that total expenditures by the State for transportation planning under sections 134 and 135 will exceed 75 percent of the funds described in paragraph (1) and the Secretary accepts such certification.

(3) NONAPPLICABILITY OF ASSESSMENT.—Funds expended under paragraph (1) shall not be considered to be part of the extramural budget of the agency for the purpose of section 9 of the Small Business Act (15 U.S.C. 638).

(c) IMPLEMENTATION OF FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM FINDINGS AND RESULTS.—

(1) FUNDS.—A State shall make available to the Secretary to carry out section 503(c)(2)(C) a percentage of funds subject to subsection (a) that are apportioned to that State, that is agreed to by  $\frac{3}{4}$  of States for each of fiscal years 2013 and 2014.

(2) TREATMENT OF FUNDS.—Funds expended under paragraph (1) shall not be considered to be part of the extramural budget of the agency for the purpose of section 9 of the Small Business Act (15 U.S.C. 638).

(d) FEDERAL SHARE.—The Federal share of the cost of a project carried out using funds subject to subsection (a) shall be 80 percent unless the Secretary determines that the interests of the Federal-aid highway program would be best served by decreasing or eliminating the non-Federal share.

(e) ADMINISTRATION OF SUMS.—Funds subject to subsection (a) shall be combined and administered by the Secretary as a single fund and shall be available for obligation for the period described in section 118(b).

(Added Pub. L. 105-178, title V, § 5105, June 9, 1998, 112 Stat. 432; amended Pub. L. 109-59, title V, § 5205, Aug. 10, 2005, 119 Stat. 1795; Pub. L. 112-141, div. E, title II, § 52005, July 6, 2012, 126 Stat. 882.)

#### PRIOR PROVISIONS

A prior section 505, added Pub. L. 90-495, § 30, Aug. 23, 1968, 82 Stat. 831, related to highway relocation assistance payments, prior to repeal by Pub. L. 91-646, title II, § 220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

#### AMENDMENTS

2012—Subsec. (a). Pub. L. 112-141, § 52005(1)(A), substituted “paragraphs (1) through (4) of section 104(b)” for “section 104 (other than sections 104(f) and 104(h)) and under section 144” in introductory provisions.

Subsec. (a)(3). Pub. L. 112-141, § 52005(1)(B), substituted “, plans, and processes under sections 119, 148, 149, and 167” for “under section 303”.

Subsecs. (c), (d). Pub. L. 112-141, § 52005(2), (3), added subsec. (c) and redesignated former subsec. (c) as (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 112-141, § 52005(2), (4), redesignated subsec. (d) as (e) and substituted “section 118(b)” for “section 118(b)(2)”.

2005—Subsec. (a)(7). Pub. L. 109-59, § 5205(1), added par. (7).

Subsec. (d). Pub. L. 109-59, §5205(2), substituted “for the period described in section 118(b)(2)” for “for the same period as funds apportioned under section 104(b)(1)”.

#### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

#### ALASKA HIGHWAY STUDY

Pub. L. 87-866, §13, Oct. 23, 1962, 76 Stat. 1149, as amended by Pub. L. 97-449, §2(a), Jan. 12, 1983, 96 Stat. 2439, provided that:

“(a) The Secretary of Transportation, in cooperation with the State of Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Transportation, engineering studies, estimates, and planning surveys relative to connecting Alaskan roads with Canadian roads at the International boundary.

“(b) On or before May 15, 1964, the Secretary of Transportation shall submit a report to the Congress which shall include—

“(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

“(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and connection of such roads with Canadian roads at the International boundary; and

“(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

“(c) From time to time, either before or after submission of the report provided for in subsection (b) of this section, the Secretary of Transportation may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this section.

“(d) Nothing in this section shall be construed as creating any obligation in the Congress, express or implied, to carry out the recommendations referred to in subsections (b) and (c).

“(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$800,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) hereof.”

#### [§§ 506, 507. Repealed. Pub. L. 112-141, div. E, title II, §§ 52006(a), 52007(a), July 6, 2012, 126 Stat. 882]

Section 506, added Pub. L. 105-178, title V, §5106, June 9, 1998, 112 Stat. 433; amended Pub. L. 109-59, title V, §5206(a), Aug. 10, 2005, 119 Stat. 1795, related to international highway transportation outreach program.

A prior section 506, added Pub. L. 90-495, §30, Aug. 23, 1968, 82 Stat. 832; amended Pub. L. 91-605, title I, §137, Dec. 31, 1970, 84 Stat. 1735, related to replacement housing, prior to repeal by Pub. L. 91-646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

Section 507, added Pub. L. 105-178, title V, §5107, June 9, 1998, 112 Stat. 434; amended Pub. L. 109-59, title V, §5207(a), Aug. 10, 2005, 119 Stat. 1797, related to surface transportation-environmental cooperative research program.

A prior section 507, added Pub. L. 90-495, §30, Aug. 23, 1968, 82 Stat. 832, related to expenses incidental to transfer of property, prior to repeal by Pub. L. 91-646, title II, §220(a)(10), Jan. 2, 1971, 84 Stat. 1903.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

#### § 508. Transportation research and development strategic planning

##### (a) IN GENERAL.—

(1) DEVELOPMENT.—Not later than 1 year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012, the Secretary shall develop a 5-year transportation research and development strategic plan to guide Federal transportation research and development activities. This plan shall be consistent with section 306 of title 5, sections 1115 and 1116 of title 31, and any other research and development plan within the Department of Transportation.

(2) CONTENTS.—The strategic plan developed under paragraph (1) shall—

(A) describe the primary purposes of the transportation research and development program, which shall include, at a minimum—

(i) promoting safety;

(ii) reducing congestion and improving mobility;

(iii) preserving the environment;

(iv) preserving the existing transportation system;

(v) improving the durability and extending the life of transportation infrastructure; and

(vi) improving goods movement.

(B) for each purpose, list the primary research and development topics that the Department intends to pursue to accomplish that purpose, which may include the fundamental research in the physical and natural sciences, applied research, technology development, and social science research intended for each topic; and

(C) for each research and development topic, describe—

(i) the anticipated annual funding levels for the period covered by the strategic plan; and

(ii) the additional information the Department expects to gain at the end of the period covered by the strategic plan as a result of the research and development in that topic area.

(3) CONSIDERATIONS.—In developing the strategic plan, the Secretary shall ensure that the plan—

(A) reflects input from a wide range of stakeholders;

(B) includes and integrates the research and development programs of all the Department's operating administrations, including aviation, transit, rail, and maritime; and

(C) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions contributes to the achievement of the purposes identified under paragraph (2)(A), and avoids unnecessary duplication with these efforts.

(4) PERFORMANCE PLANS AND REPORTS.—In reports submitted under sections 1115 and 1116 of title 31, the Secretary shall include—